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10/827,433	04/20/2004	Fumitoshi Mizutani	089367-0127	2720		
22428	7590	10/22/2008	EXAMINER			
FOLEY AND LARDNER LLP SUITE 500 3000 K STREET NW WASHINGTON, DC 20007				REDDIVALAM, SRINIVASA R		
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/827,433	MIZUTANI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	SRINIVASA R. REDDIVALAM	2419	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 08/29/2008.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-16 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>07/11/2008</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|   | 6) <input type="checkbox"/> Other: _____ .                        |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horvath et al. (US Patent Number: 5,630,056) in view of Meyers et al. (Publication No: EP 0747803 A2).

**Regarding claim 1,** Horvath et al. teach a data processing apparatus that has a plurality of reception interface sections which receive same data from a same data sender and processes data (see Fig.2, interfaces 14a, 14b for plurality of reception interface sections and **see col.4, lines 17-23 wherein the interface sections 14a & 14b, each of which responding in lock step synchronism with the other to identical information input signals from the bus is mentioned** and also see col.2, lines 25-32 wherein a digital data processing device with plurality of functional units processing data in parallel is mentioned and col.2, lines 54-59 wherein transceivers, which include both transmitters and receivers, routing data is mentioned), received by said plurality of reception interface sections, in parallel, wherein each of said reception interface sections includes a communication error processing section (see col.2, lines 54-59 wherein transceivers routing data to the fault-detector is mentioned and also see Fig.2, block 40 for Error Detect/fault detector which is equivalent to communication error processing section), which, upon occurrence of an error in said received data, stops receiving said data, and requests said data sender to resend data (see col.2, lines 32-36 wherein fault-detector signaling a fault is mentioned and also see col.2, lines 47-53 wherein upon detection of error, functional unit disabling the processing sections further from applying signals and responding to the error by reapplying the data is mentioned. And also see Fig.1 and col.3, line 55 to col.4, line 2 wherein functional units i.e. processor/memory elements 10, 12 partnered with one another to respond concurrently and identically to information input from bus 20 to generate further information for output to bus 20 is mentioned, likewise peripheral device controllers 14, 16 partnered with one

another to process and communicate like information between the functional units and peripheral devices is mentioned).

Horvath et al. do not teach specifically the apparatus wherein upon occurrence of an error in said received data, sends a communication error signal to other reception interface sections to stop data reception from said data sender.

However, Meyers et al. teach an apparatus wherein upon occurrence of an error in said received data, sends a communication error signal to other reception interface sections to stop data reception from said data sender (see Figs. 6 and 8 and page 14, lines 1-28 wherein upon encountering an error by one interface unit, issuing the error signal or passing of the message packet information by one interface unit to the companion interface unit for cross-checking for errors is mentioned).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the apparatus of Horvath et al. to include wherein upon occurrence of an error in received data, sending a communication error signal to other reception interface sections to stop data reception from said data sender, disclosed by Meyers et al. in order to improve the reliability and optimize the performance of the data processing apparatus.

**Regarding claims 2 and 3,** Horvath et al. and Meyers et al. together teach the data processing apparatus according to claim 1.

Horvath et al. further teach the data processing apparatus, wherein when an error occurs in part of received data, said communication error processing section of each of said reception interface sections cancels said error-occurred data, and requests said data sender to resend said canceled data (see col.2, lines 37-53 wherein upon detection of an error by fault-detector, disabling of data processing by functional unit and re-transmission of respective data by processing sections are mentioned) and wherein said data sender sends same serial data (see col.2, lines 54-59 wherein transceiver routing data is mentioned), and when an error occurs in received serial data, said communication error processing section of each of said reception interface sections cancels said error-occurred serial data and serial data received following that error-occurred serial data, and requests said data sender to resend said canceled serial data (see col.2, lines 47-53 and lines 58-65 wherein upon detection of an error by fault-detector, disabling of processing section from applying data and re-transmission of serial data by transceiver to fault-detector are mentioned).

**Regarding claim 4,** Horvath et al. and Meyers et al. together teach the data processing apparatus according to claim 1.

Horvath et al. further teach the data processing apparatus wherein data sender sends data packet when an error occurs in data of the received packet (see col.2, lines 62-65)

and said communication error processing section of each of said reception interface sections requests said data sender to resend data (see col.2, lines 32-36).

Meyers et al. further teach the data processing apparatus wherein data sender affixing a sequence number to each packet when sending data packets when an error occurs in data of received packet and communication error processing section requesting data sender to resend data packets based on sequence number affixed to each received packet (see Fig. 35 and page 60, line 49 to page 61, line 8).

**Regarding claim 5,** Horvath et al. and Meyers et al. together teach the data processing apparatus according to claim 1.

Meyers et al. further teach the data processing apparatus comprising a frequency divider which generates a sync signal by dividing a frequency of a predetermined clock signal and sends said generated sync signal to each of said reception interface sections, and wherein each of said reception interface sections receives data according to said sync signal supplied from said frequency divider (see page 16, lines 47-59).

**Regarding claim 6,** Horvath et al. teach a data processing apparatus that has a transmission interface section which transmits transmission data to a plurality of data receivers at a same timing (see col.2, lines 25-29 wherein a digital data processing device transmitting data between plural functional units is mentioned and also **see col.4, lines 17-23 wherein the interface sections 14a & 14b, each of which responding in lock step synchronism with the other to identical information input signals from the bus is mentioned**).

Horvath et al. do not teach specifically data processing apparatus wherein said transmission interface section generates packet data by dividing said transmission data to data of a data length sendable within one period of a predetermined clock signal and sends individual pieces of packet data generated to said plurality of receivers at the same timing in synchronism with said clock signal.

However, Meyers et al. teach a data processing apparatus wherein transmission interface section generates packet data by dividing transmission data to data of a data length sendable within one period of a predetermined clock signal and sends individual pieces of packet data generated to plurality of receivers at the same timing in synchronism with said clock signal (see page 16, lines 47-59 and also see pages 47-48, section synchronization).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the data processing apparatus of Horvath et al. to include transmission interface section generating packet data by dividing transmission data to data of a data length sendable within one period of a predetermined clock signal and sending individual pieces of packet data generated to plurality of receivers at the same timing in synchronism with said clock signal disclosed by Meyers et al. for proper data

synchronization between transmission and reception sections of data processing in the system.

**Regarding claim 7**, Horvath et al. teach a data processing method that performs parallel processing of data received by a plurality of reception interface sections which receive same data from a same data sender (see col.2, lines 25-32 wherein a digital data processing device with plurality of functional units processing data in parallel is mentioned and col.2, lines 54-59 wherein transceivers routing data is mentioned and also **see col.4, lines 17-23 wherein the interface sections 14a & 14b, each of which responding in lock step synchronism with the other to identical information input signals from the bus is mentioned**) and comprises: a data reception step of receiving data from said data sender at one of said plurality of reception interface sections (see col.2, lines 54-59 wherein transceivers sending data to fault-detector is mentioned); an error detection step of detecting an error in said received data (see col.2, lines 32-36 wherein fault-detector signaling a fault of received data is mentioned);

Horvath et al. do not teach specifically the method comprises an error information output step of outputting information on said detected error to other reception interface sections.

However, Meyers et al. teach the method comprising an error information output step of outputting information on detected error to other reception interface sections (see Figs.

6 and 8 and page 14, lines 1-28 wherein upon encountering an error by one interface unit, issuing the error signal or passing of the message packet information by one interface unit to the companion interface unit for cross-checking for errors is mentioned).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the method of Horvath et al. to include an error information output step of outputting information on detected error to other reception interface sections, disclosed by Meyers et al. in order to improve the reliability and optimize the performance of the data processing of apparatus.

**Regarding claim 8,** Horvath et al. and Meyers et al. together teach the data processing method according to claim 7.

Meyers et al. further teach the data processing method wherein said data reception step and said error information output step are executed according to a sync signal generated by dividing a frequency of a predetermined clock signal (see page 16, lines 47-59 and also see pages 47-48, section synchronization).

**Regarding claim 9,** Meyers et al. further teach the data processing method comprising an error information reception step of receiving error information, output from said other reception interface sections, at said one of said reception interface sections (see Figs. 6 and 8 and page 14, lines 1-28 wherein upon encountering an error by one interface unit, issuing the error signal or passing of the message packet

information by one interface unit to the companion interface unit for cross-checking for errors is mentioned).

Horvath et al. further teach the data processing method comprising a data resend requesting step of requesting said data sender to resend data in at least one of a case where an error is detected at said error detection step and a case where error information is received at said error information reception step (see col.2, lines 32-53 wherein fault-detector signaling a fault is mentioned and wherein upon detection of an error by fault-detector, disabling of data processing by functional unit and re-transmission of respective data by processing sections are mentioned).

**Regarding claim 10,** Horvath et al. and Meyers et al. together teach the data processing method according to claim 9.

Horvath et al. further teach the data processing method further comprising a data cancellation step of canceling data and a data reception stopping step of stopping data reception and wherein said data cancellation step and said data reception stopping step are executed in at least one of a case where an error is detected at said error detection step and a case where error information is received at said error information reception step (see col.2, lines 47-53 wherein upon detection of error, functional unit disabling the processing sections further from applying signals is mentioned), and said data resend requesting step requests resending of data canceled at said data cancellation step (see col.2, lines 58-65 wherein upon detection of an error by fault-detector, re-transmission of serial data by transceiver to fault-detector is mentioned).

**Regarding claim 11,** Horvath et al. and Meyers et al. together teach the data processing method according to claim 10.

Meyers et al further teach the data processing method wherein said data cancellation step is executed according to said sync signal (see page 16, lines 47-59 and also see pages 47-50, section synchronization).

**Regarding claim 12,** Horvath et al. teach a computer readable medium having thereon a computer program, which when executed, (see col.4, lines 60-62 wherein a device implementation in software/hardware is mentioned) performs parallel processing of data received by a plurality of reception interface sections which receive same data from a same data sender (see col.2, lines 25-32 wherein a digital data processing device with plurality of functional units processing data in parallel is mentioned and col.2, lines 54-59 wherein transceivers routing data is mentioned and also **see col.4, lines 17-23 wherein the interface sections 14a & 14b, each of which responding in lock step synchronism with the other to identical information input signals from the bus is mentioned**) and allows a computer to execute: a data reception step of receiving data from said data sender at one of said plurality of reception interface sections (see col.2, lines 54-59 wherein transceivers sending data to fault-detector is mentioned); an error detection step of detecting an error in said received data (see col.2, lines 32-36 wherein fault-detector signaling a fault of received data is mentioned);

Horvath et al. do not teach the above medium that allows a computer to execute an error information output step of outputting information on said detected error to other reception interface sections.

However, Meyers et al. teach the computer readable medium that allows a computer to execute an error information output step of outputting information on detected error to other reception interface sections (see Figs. 2, 6 and 8 and page 14, lines 1-28 wherein upon encountering an error by one interface unit, issuing the error signal or passing of the message packet information by one interface unit to the companion interface unit for cross-checking for errors is mentioned).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the computer readable medium of Horvath et al. to allow a computer to execute an error information output step of outputting information on detected error to other reception interface sections, disclosed by Meyers et al. in order to improve the reliability and optimize the performance of the data processing of apparatus.

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**Regarding claim 13,** Horvath et al. and Meyers et al. together teach the computer readable medium according to claim 12.

Meyers et al. further teach the computer readable medium wherein said data reception step and said error information output step are executed according to a sync signal

generated by dividing a frequency of a predetermined clock signal (see page 16, lines 47-59 and also see pages 47-48, section synchronization).

**Regarding claim 14,** Meyers et al. further teach the computer readable medium executing an error information reception step of receiving error information, output from said other reception interface sections, at said one of said reception interface sections (see Figs. 6 and 8 and page 14, lines 1-28 wherein upon encountering an error by one interface unit, issuing the error signal or passing of the message packet information by one interface unit to the companion interface unit for cross-checking for errors is mentioned).

Horvath et al. further teach the computer readable medium executing a data resend requesting step of requesting said data sender to resend data in at least one of a case where an error is detected at said error detection step and a case where error information is received at said error information reception step (see col.2, lines 32-53 wherein fault-detector signaling a fault is mentioned and wherein upon detection of an error by fault-detector, disabling of data processing by functional unit and re-transmission of respective data by processing sections are mentioned).

**Regarding claim 15,** Horvath et al. and Meyers et al. together teach the computer readable medium according to claim 14.

Horvath et al. further teach the computer readable medium according to claim 14, executing a data cancellation step of canceling data; and a data reception stopping step of stopping data reception, and wherein said data cancellation step and said data

reception stopping step are executed in at least one of a case where an error is detected at said error detection step and a case where error information is received at said error information reception step (see col.2, lines 47-53 wherein upon detection of error, functional unit disabling the processing sections further from applying signals is mentioned), and said data resend requesting step requests resending of data canceled at said data cancellation step (see col.2, lines 58-65 wherein upon detection of an error by fault-detector, re-transmission of serial data by transceiver to fault-detector is mentioned).

**Regarding claim 16**, Horvath et al. and Meyers et al. together teach the computer readable medium according to claim 15.

Meyers et al further teach the computer readable medium wherein said data cancellation step is executed according to said sync signal (see page 16, lines 47-59 and also see pages 47-50, section synchronization).

#### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.
  
6. In page 8, Applicants mention that Horvath fails to teach an apparatus that has a plurality of reception interface sections that receive the same data from a same data sender in parallel. However, Horvath et al. teach an apparatus with reception interface sections that receive the same data from a same data sender in parallel (see col.3, line

60 to col.4, line 2 wherein functional units i.e. processor/memory elements 10, 12 **partnered with one another to respond concurrently and identically to information input from bus 20** to generate further information for output to bus 20 is mentioned, likewise peripheral device controllers 14, 16 partnered with one another to process and communicate like information between the functional units and peripheral devices is mentioned. And also see col.2, lines 25-32 wherein a digital data processing device with plurality of functional units processing data in parallel is mentioned and col.2, lines 54-59 wherein transceivers, which include both transmitters and receivers, routing data is mentioned and also **see col.4, lines 17-23 wherein the interface sections 14a & 14b, each of which responding in lock step synchronism with the other to identical information input signals from the bus is mentioned**).

### *Conclusion*

7. Any response to this office action should be faxed to (571) 273-8300 or mailed To:

Commissioner for Patents,  
P.O. Box 1450  
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**Hand-delivered responses should be brought to**  
Customer Service Window  
Randolph Building  
401 Dulany Street

Alexandria, VA 22314.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SRINIVASA R. REDDIVALAM whose telephone number is (571)270-3524. The examiner can normally be reached on Mon-Fri 9:30 AM - 7 PM (1st Friday OFF).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chirag Shah can be reached on 571-272-3144. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Srini Reddivalam  
10/17/2008  
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